



Dkt. No. 96700/845

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants : Ekaterina Dadachova, Joshua D. Nosanchuk, and  
Arturo Casadevall

Appl. No. : 10/775,869

Filed : February 10, 2004

For : RADIOLABELED ANTIBODIES FOR TREATMENT  
OF TUMORS

Group Art : 1642

Examiner : Brandon J. Fetterolf

Customer No. : 1912

**DECLARATION OF EKATERINA DADACHOVA UNDER 37 C.F.R. §1.132**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

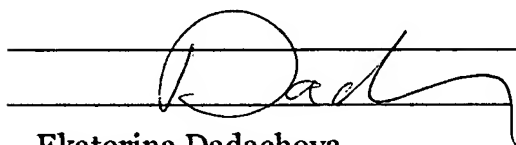
I, Ekaterina Dadachova, hereby declare as follows:

1. I am a co-inventor with Joshua D. Nosanchuk and Arturo Casadevall of the subject matter claimed in U.S. Patent Application No. 10/775,869. I am currently an Associate Professor in the Department of Nuclear Medicine and the Department of Microbiology & Immunology at Albert Einstein College of Medicine of Yeshiva University, Bronx, New York.

2. I understand that the pending claims are rejected under 35 U.S.C. §102(a) as being anticipated by the October 2002 Abstract publication entitled "Radioimmunotherapy of Pigmented Melanoma with Melanin-Targeting Antibody" that appeared in the 9<sup>th</sup> Conference on Cancer Therapy with Antibodies & Immunoconjugates, which is authored by two co-inventors of the subject application (E. Dadachova and A. Casadevall) and a technician (L. Shi).

3. The third co-inventor, Joshua D. Nosanchuk, was listed as an author when the Abstract was submitted to the meeting organizers; however, his name was mistakenly omitted as an author from the published version of the Abstract. L. Shi, who was a technician working under the direction of Joshua D. Nosanchuk, was included as an author on the 2002 Dadachova et al. Abstract because she assisted in performing experiments reported in the Abstract. L. Shi did not contribute to the conception of the invention claimed in the present application.

4. I hereby declare that all statements made herein and of my knowledge are true and that all statements made on information and belief are believed to be true; and I further declare that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both under §1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

  
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Ekaterina Dadachova

Dated: *November 30, 2007*